

**BEFORE THE  
CALIFORNIA BOARD OF OCCUPATIONAL THERAPY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. OT2007-203

WENDY LYNN STACKHOUSE  
711 Chimney Rock Drive  
Oceanside, CA 92058

Occupational Therapy License No. OT 6049

Respondent.

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the California Board of Occupational Therapy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on May 30, 2009.

It is so ORDERED April 30, 2009.

  
FOR THE CALIFORNIA BOARD OF OCCUPATIONAL THERAPY  
DEPARTMENT OF CONSUMER AFFAIRS

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of the State of California  
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10 **BEFORE THE**  
**CALIFORNIA BOARD OF OCCUPATIONAL THERAPY**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 WENDY LYNN STACKHOUSE  
14 711 Chimney Rock Drive  
Oceanside, CA 92058

15 Occupational Therapy License No. OT 6049

16 Respondent.

Case No. OT2007-203

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

17  
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the  
19 above-entitled proceedings that the following matters are true:

20 **PARTIES**

21 1. Heather Martin (Complainant) is the Executive Officer of the California  
22 Board of Occupational Therapy. She brought this action solely in her official capacity and is  
23 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,  
24 by Amanda Dodds, Legal Analyst.

25 2. Respondent Wendy Lynn Stackhouse is representing herself in this  
26 proceeding and has chosen not to exercise her right to be represented by counsel.

27 3. On or about January 24, 2003, the California Board of Occupational  
28 Therapy issued Occupational Therapy License No. OT 6049 to Respondent. The Occupational

1 Therapy License was in full force and effect at all times relevant to the charges brought in  
2 Accusation No. OT2007-203 and will expire on February 28, 2010, unless renewed.

3 **JURISDICTION**

4 4. Accusation No. OT2007-203 was filed before the California Board of  
5 Occupational Therapy (Board), Department of Consumer Affairs, and is currently pending  
6 against Respondent. The Accusation and all other statutorily required documents were properly  
7 served on Respondent on February 27, 2009. Respondent timely filed her Notice of Defense  
8 contesting the Accusation on or about March 3, 2009. A copy of Accusation No. OT2007-203 is  
9 attached as Exhibit A and incorporated herein by reference.

10 **ADVISEMENT AND WAIVERS**

11 5. Respondent has carefully read, and understands the charges and allegations  
12 in Accusation No. OT2007-203. Respondent has also carefully read, and understands the effects  
13 of this Stipulated Settlement and Disciplinary Order.

14 6. Respondent is fully aware of her legal rights in this matter, including the  
15 right to a hearing on the charges and allegations in the Accusation; the right to be represented by  
16 counsel at her own expense; the right to confront and cross-examine the witnesses against her;  
17 the right to present evidence and to testify on her own behalf; the right to the issuance of  
18 subpoenas to compel the attendance of witnesses and the production of documents; the right to  
19 reconsideration and court review of an adverse decision; and all other rights accorded by the  
20 California Administrative Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up  
22 each and every right set forth above.

23 **CULPABILITY**

24 8. Respondent admits the truth of each and every charge and allegation in  
25 Accusation No. OT2007-203.

26 9. Respondent agrees that her Occupational Therapy License is subject to  
27 discipline and she agrees to be bound by the Board's imposition of discipline as set forth in the  
28 Disciplinary Order below.

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1 respondent's compliance with probation. Respondent, within ten (10) days of completion of the  
2 quarter, shall submit quarterly written reports to the Board on a Quarterly Report of Compliance  
3 form obtained from the Board.

4           3.       **Personal Appearances.** Upon reasonable notice by the Board, respondent  
5 shall report to and make personal appearances at times and locations as the Board may direct.

6           4.       **Notification of Address and Telephone Number Change(s).**  
7 Respondent shall notify the Board, in writing, within five (5) days of a change of residence or  
8 mailing address, of her new address and any change in work and/or home telephone numbers.

9           5.       **Tolling for Out-of-State Practice, Residence or In-State Non-Practice.**  
10 In the event respondent should leave California to reside or to practice outside the State for more  
11 than thirty (30) days, respondent shall notify the Board or its designee in writing within ten (10)  
12 days of the dates of departure and return. All provisions of probation other than the quarterly  
13 report requirements, examination requirements, and education requirements, shall be held in  
14 abeyance until respondent resumes practice in California. All provisions of probation shall  
15 recommence on the effective date of resumption of practice in California.

16           6.       **Notification to Employer(s).** When currently employed or applying for  
17 employment in any capacity in any health care profession, Respondent shall notify her employer  
18 of the probationary status of respondent's license. This notification to the current employer shall  
19 occur no later than the effective date of the Decision. Respondent shall notify any prospective  
20 health care employer of her probationary status with the Board prior to accepting such  
21 employment. This notification shall be made by providing the employer or prospective employer  
22 with a copy of the Board's Accusation and Stipulated Settlement and Disciplinary Decision and  
23 Order.

24                 Respondent shall cause each health care employer to submit quarterly reports to  
25 the Board. The reports shall be on a form provided by the Board, shall include a performance  
26 evaluation and such other information as may be required by the Board.

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Respondent shall notify the Board, in writing, within five (5) days of any change in employment status. Respondent shall notify the Board, in writing, within five (5) days if she is terminated from any occupational therapy or health care related employment with a full explanation of the circumstances surrounding the termination.

7. **Employment Requirements and Limitations.** During probation, respondent shall work in her licensed capacity in the State of California. This practice shall consist of no less than (6) continuous months and of no less than twenty-four (24) hours per week.

While on probation, respondent shall not work for a registry or in any private duty position, except as approved, in writing, by the Board. Respondent shall work only on a regularly assigned, identified, and pre-determined work site(s) and shall not work in a float capacity except as approved, in writing, by the Board.

8. **Supervision Requirements.** Respondent shall obtain prior approval from the Board, before commencing any employment, regarding the level of supervision provided to the respondent while employed as an occupational therapist or occupational therapy assistant.

Respondent shall not function as a supervisor during the period of probation except as approved, in writing, by the Board.

9. **Maintenance of Valid License.** Respondent shall, at all times while on probation, maintain an active current license with the Board, including any period during which license is suspended or probation is tolled.

11. **Cost Recovery Requirements.** Respondent shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the amount of \$847.50. Respondent shall be permitted to pay these costs in a payment plan approved by the Board. Failure to make payments pursuant to the payment plan shall be considered a violation of probation.

Except as provided above, the Board shall not renew or reinstate the license of any respondent who has failed to pay all the costs as directed in a Decision.

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1                   14.     **Chemical Dependency Support/Recovery Groups.** Within five (5) days  
2 of the effective date of the Decision, respondent shall begin attendance, three (3) times per week,  
3 at a chemical dependency support group (e.g., Alcoholics Anonymous, Narcotics Anonymous).  
4 Verified documentation of attendance shall be submitted by Respondent with each quarterly  
5 report. Respondent shall continue attendance in such a group for the duration of probation or  
6 until the Board provides written notification that attendance at a support group shall cease.

7                   19.     **Abstain From Controlled Substances.** Respondent shall completely  
8 abstain from the personal use or possession of controlled substances, as defined in the California  
9 Uniform Controlled Substances Act, and dangerous drugs as defined in sections 4021 and 4022  
10 of the Business and Professions Code.

11                  20.     **Abstain From Use of Alcohol.** Respondent shall completely abstain from  
12 the use of alcoholic beverages during the period of probation.

13                  21.     **Submit Biological Fluid Samples.** Respondent shall immediately submit  
14 to biological fluid testing, at Respondent's cost, upon request by the Board or its designee. There  
15 will be no confidentiality in the test results; positive test results will be immediately reported to  
16 the Board and the respondent's current employer.

17                  12.     **Violation of Probation.** If Respondent violates probation in any respect,  
18 the Board, after giving Respondent notice and opportunity to be heard, may revoke probation and  
19 carry out the disciplinary order which was stayed. If an accusation or a petition to revoke  
20 probation is filed against respondent during probation, the Board shall have continuing  
21 jurisdiction until the matter is final, and the period of probation shall be extended until the matter  
22 is final.

23                  13.     **Completion of Probation.** Upon successful completion of probation,  
24 respondent's license will be fully restored.

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DATED: 3/25/09

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DATED: 4/9/2009

LINDA K. SCHNEIDER  
Supervising Deputy Attorney General

Attorneys for Complainant